

REMARKS

The Official Action mailed January 5, 2006, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants appreciate Examiner Chien's and Examiner Schechter's time in conducting a personal interview on March 22, 2006. As described in more detail below, during the interview the Applicants stressed that Kim does not teach or suggest an insulating film over a resin over a light emitting device, and, as noted in the *Interview Summary*, "the examiner agreed that this distinguishes over the claimed invention" (Paper No. 20060322). The Examiner agreed to consider the Applicants' remarks following the submission of this *Amendment*.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on January 14, 2004; May 11, 2004; and February 24, 2005.

Claims 1-20, 46 and 47 were pending in the present application prior to the above amendment. New dependent claims 48-55 have been added to recite additional protection to which the Applicants are entitled. Accordingly, claims 1-20 and 46-55 are now pending in the present application, of which claims 1-4 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1-20, 46 and 47 as obvious based on the combination of U.S. Patent Application Publication No. 2002/0085143 to Kim et al. and U.S. Patent Application Publication No. 2005/0070196 to Colombo et al., either alone or in combination with one or more of the following: U.S. Patent No. 6,891,334 to Yamamoto et al., U.S. Patent Application Publication No. 2002/0041348 to Yokoyama et al., U.S. Patent Application Publication No. 2002/0130985 to Weindorf et al., U.S. Patent No. 6,331,381 to Chaudhari et al., U.S. Patent No. 5,781,263 to Kawagoe et al.,

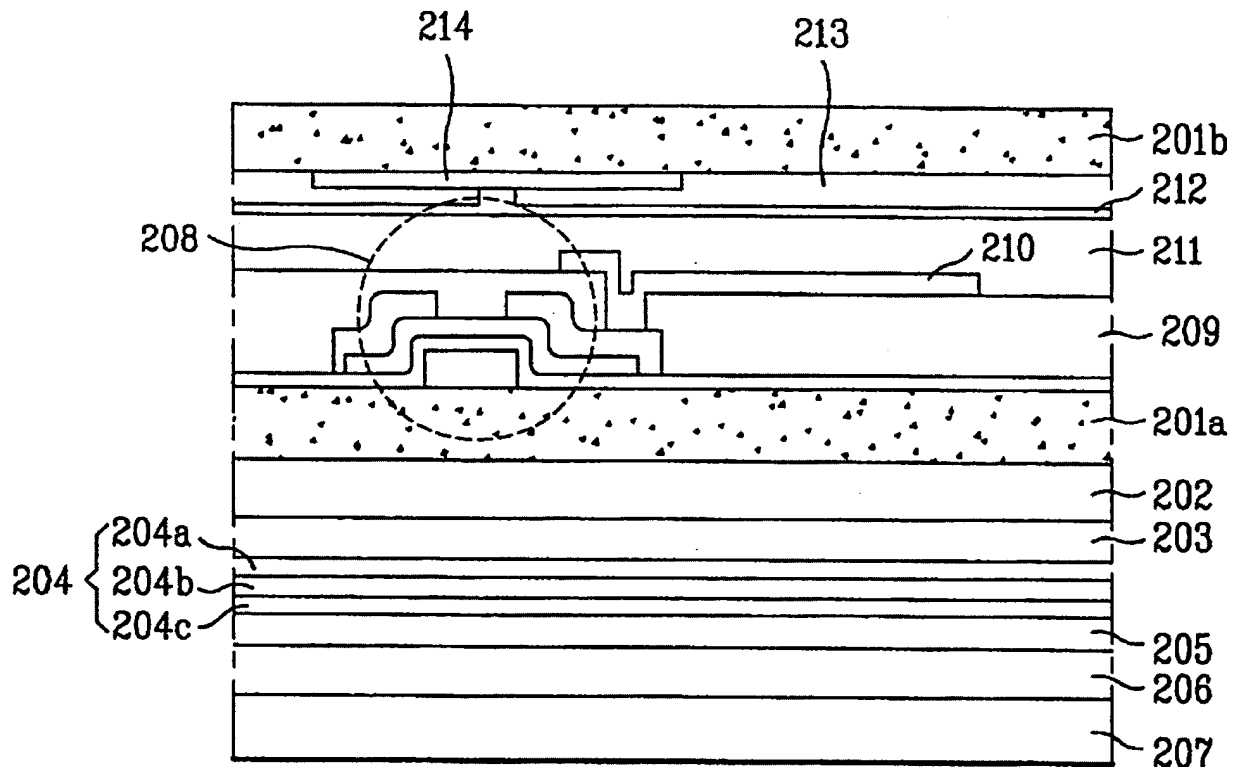
U.S. Patent No. 4,202,607 to Washizuka et al. and U.S. Patent No. 4,536,014 to Boutaleb et al. The Applicants respectfully traverse the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. Independent claims 1-4 recite a light-emitting device formed over a first plastic substrate; a resin covering the light-emitting device; and an insulating film formed over the resin. For the reasons provided below, Kim, Colombo, Yamamoto, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka and Boutaleb, either alone or in combination, do not teach or suggest at least the above-referenced features of the present invention.

Kim does not disclose the claimed layers. The Official Action asserts that hole transport layer 204a corresponds with the resin of the claims of the present application (Figure 2 of Kim reproduced below).

FIG. 2



However, due to the recitation of a resin and a light emitting element in the present claims, since hole transport layer 204a is part of a light emitting device, hole transport layer 204a cannot correspond to both a light emitting element and a resin. Also, hole transport layer 204a of Kim is not a resin.

First substrate 201a of Kim cannot correspond to the resin of the present claims since no insulating layer is formed between first substrate 201a and the semiconductor device and Kim does not teach or suggest that an insulating layer should be formed between first substrate 201a and the semiconductor device.

Colombo, Yamamoto, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka and Boutaleb do not cure the deficiencies in Kim. The Official Action relies on Colombo to allegedly teach a protective layer made of glass, metal or plastic (page 3, Paper No. 11172005), on Yamamoto to allegedly teach forming a light emitting device in a concave portion of a substrate (page 4, Id.), on Yokoyama to allegedly teach use of a transparent liquid crystal (page 5, Id.), on Weindorf to allegedly teach using a flexible printed wiring board connected to an i-emitting diode (page 6, Id.), and on Chaudhari, Kawagoe, Washizuka and Boutaleb to allegedly teach various uses for LCDs (pages 7-8, Id.). However, Kim, Colombo, Yamamoto, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka and Boutaleb, either alone or in combination, do not teach or suggest a light-emitting device formed over a first plastic substrate; a resin covering the light-emitting device; and an insulating film formed over the resin or that Kim should be modified to include these features.

Since Kim, Colombo, Yamamoto, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka and Boutaleb do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained.

Furthermore, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify Kim, Colombo, Yamamoto, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka and Boutaleb or to combine reference teachings to achieve the claimed invention. MPEP § 2142 states that the examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. It is respectfully submitted that the Official Action has failed to carry this burden. While the Official Action relies on various teachings of the cited prior art to disclose aspects of the claimed invention and asserts that these aspects could be used together, it is submitted that the Official Action does not adequately set forth why one of skill in the art would combine the references to achieve the features of the present invention. Specifically, the Official Action has not set forth why one of ordinary skill in the art at the time of the present invention would

have been motivated to modify Kim so that a light-emitting device is formed over a first plastic substrate; a resin covers the light-emitting device; and an insulating film is formed over the resin.


In the present application, it is respectfully submitted that the prior art of record, either alone or in combination, does not expressly or impliedly suggest the claimed invention and the Official Action has not presented a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

For the reasons stated above, the Official Action has not formed a proper *prima facie* case of obviousness. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claims 48-55 have been added to recite additional protection to which the Applicants are entitled. The features of claims 48-51 are supported by the specification at page 10, lines 16-17, for example. For the reasons stated above and already of record, the Applicants respectfully submit that new claims 48-54 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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